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HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

TRAN, DOUGLAS Q

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 12/30/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/393,724

Applicant(s)

MEADE ET AL.

Examiner

Douglas Q. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-9, and 16-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Cuzzo et al. (US Patent No. 6,052,547).

As to claim 1, Cuzzo teaches an apparatus (i.e., PC from step of 62 in fig. 2A) for tracking usage information for an image forming device (i.e., EPC 10 in fig. 1), comprising:

an image-forming device (i.e., EPC 10 in fig. 1);

processing circuitry (CPU 16 for processing in fig. 1) associated with the image-forming device:

computer program code (ROM 30 in fig. 1) implemented on the processing circuitry and operative to count page-area and toner coverage (i.e., Page/Toner is accounted on the meter procedure 32 in fig. 1) at the image forming device collected on a print job by print job basis (i.e., pages thru scanner 36 in fig. 1 or printable pixels/page from PC 38 in fig. 1) ; and

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memory (RAM 34 in fig. 1) coupled with the processing circuitry (CPU 16 in fig. 1) and operative to store a user data containing user information, output job information, and the usage information comprising total page area and toner used (RAM 34 in fig. 1 containing the usage information of the output job 36 from a scanner 12 or the print job 38 from PC 13 and % toner coverage per page etc. and col. 46-51) (It is noted that since the printing apparatus is heavily used for accounting the resource usage, such as the printed image pages or the toner usage for each customer “col. 3, line 40”, any resource usage information should indicate to the requested user source “col. 2, lines 14-15” either at the printer or at the user computer “ via the network “in step of 62 in fig. 2A”. Therefore, the resource usage information would be inherently contained in the data file including the user information).

As to claim 2, Cuzzo teaches the data file comprising cost accounting information of consumables utilized by the image forming device when generating output jobs (note: col. 3, lines 36-40).

As to claim 3, Cuzzo teaches the total page area comprises paper usage and the output job information comprises information detailing a print job (see 34 fig. 1).

As to claim 4, Cuzzo teaches a tracking apparatus configured to implement hybrid pull-push gathering of transaction details from the image-forming device including consumable usage information (see 34 in fig. 1).

As to claim 5, Cuzzo teaches a plurality of image forming devices, and wherein the tracking apparatus polls the image forming devices to collect transaction details at each of the image forming devices, and wherein at least one of the image forming devices is configured to push the transaction details to the tracking device, if not polled, prior to a

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memory overflow event occurring on the at least one image forming device (It is noted that it would inherently be for the user can keep track the detail of the status of his print job from either at computer or at the printer).

As to claim 6, Cuzzo teaches a user interface configured to receive unique user id information from a user at the image forming device, wherein the processing circuitry receives the user id information and merges the user id information with cost data upon job completion (note: in the conventional printer or copier has a window panel or the user interface to display the user information of the status of the print job to a walkup user).

As to claim 7, Cuzzo teaches that a domain controller, wherein a user submits a print job to the image forming device from the client computer, and wherein the domain controller verifies identification of the user (please see step of 62 in fig. 2A indicates that the controller verifies the input source and col. 3, lines 36-40 indicates the particular customer is charged).

As to claim 8, Cuzzo teaches that the image-forming device includes a user interface, and wherein a walk up user (i.e., operator) submits a copy job to the image-forming device via the user interface (please see step of 62 for scanner).

As to claim 9, Cuzzo teaches that the user interface includes a reader operative to identify the walk up user (please see step of 62 for scanner).

As to claim 16, Cuzzo teaches the method is performed by the apparatus claim 1 as indicated above.

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As to claim 17, Cuzzo teaches of storing the consumable usage data in the memory comprises storing the page usage and the toner usage in the memory associated with the data identifying the user and the print job (see 34 in fig. 1).

As to claim 18, Cuzzo teaches that the data identifying a user and a print job comprises packet data including a user login name and password (It is noted that since the printing apparatus is heavily used for accounting the resource usage, such as the printed image pages or the toner usage for each customer “col. 3, line 40”, any resource usage information should indicate to the requested user source “col. 2, lines 14-15” either at the printer or at the user computer “ via the network “in step of 62 in fig. 2A”. Therefore, the resource usage information would be inherently contained in the data file including the user information).

As to claim 19, Cuzzo teaches that collecting packet data is carried out at a client personal computer, and further comprising generating a transaction data file including cost accounting information and generating a data file in the memory of the image forming device correlating the data identifying the user, the print job, and the cost accounting information (PC 13 in fig. 1, col. 4, lines 47-52 as taught by Cuzzo).

As to claim 20, Cuzzo teaches that generating a print job comprises requesting a print job from a client computer and forwarding the request over a LAN to the image-forming device (please see 13 in fig. 1).

As to claim 21, Cuzzo teaches an apparatus (i.e., PC from step of 62 in fig. 2A) for tracking usage information for an image forming device (i.e., EPC 10 in fig. 1), comprising:

an image-forming device (i.e., EPC 10 in fig. 1);

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processing circuitry (CPU 16 for processing in fig. 1) associated with the image-forming device:

computer program code (ROM 30 in fig. 1) implemented on the processing circuitry and operative to count page-area and toner coverage (i.e., Page/Toner is accounted on the meter procedure 32 in fig. 1) at the image forming device collected on a print job by print job basis (i.e., pages thru scanner 36 in fig. 1 or printable pixels/page from PC 38 in fig. 1) ; and

memory (RAM 34 in fig. 1) coupled with the processing circuitry (CPU 16 in fig. 1) and operative to store a user data containing user information, output job information, and the usage information comprising total page area and toner used (RAM 34 in fig. 1 containing the usage information of the output job 36 from a scanner 12 or the print job 38 from PC 13 and % toner coverage per page etc. and col. 46-51) (It is noted that since the printing apparatus is heavily used for accounting the resource usage, such as the printed image pages or the toner usage for each customer "col. 3, line 40", any resource usage information should indicate to the requested user source "col. 2, lines 14-15" either at the printer or at the user computer " via the network "in step of 62 in fig. 2A". Therefore, the resource usage information would be inherently contained in the data file including the user information);

wherein number of pages printed by the image forming device is determined by counting pages printed downstream of a fuser on an output side of the image forming device (col. 4, lines 7-9 and 17-26).

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As to claim 22, Cuzzo teaches an apparatus (i.e., PC from step of 62 in fig. 2A) for tracking usage information for an image forming device (i.e., EPC 10 in fig. 1), comprising:

processing circuitry (CPU 16 for processing in fig. 1) associated with the image-forming device:

computer program code (ROM 30 in fig. 1) implemented on the processing circuitry and operative to count page-area and toner coverage (i.e., Page/Toner is accounted on the meter procedure 32 in fig. 1) at the image forming device collected on a print job by print job basis (i.e., pages thru scanner 36 in fig. 1 or printable pixels/page from PC 38 in fig. 1) ; and

memory (RAM 34 in fig. 1) coupled with the processing circuitry (CPU 16 in fig. 1) and operative to store a user data containing user information, output job information, and the usage information comprising total page area and toner used (RAM 34 in fig. 1 containing the usage information of the output job 36 from a scanner 12 or the print job 38 from PC 13 and % toner coverage per page etc. and col. 46-51) (It is noted that since the printing apparatus is heavily used for accounting the resource usage, such as the printed image pages or the toner usage for each customer "col. 3, line 40", any resource usage information should indicate to the requested user source "col. 2, lines 14-15" either at the printer or at the user computer " via the network "in step of 62 in fig. 2A".

Therefore, the resource usage information would be inherently contained in the data file including the user information).

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wherein number of pages printed by the image forming device is determined by counting pages printed on an output side of a fuser of the image forming device (col. 4, lines 7-9 and 17-26).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Davidson, Jr. et al. (US Patent No. 6,025,925) and Maniwa (US Patent No. 5,933,584).

As to claim 10, Davidson teaches a hard copy output device (13 in fig. 1) usable with LAN (15 in fig. 1) and a client computer (14 in fig. 1), comprising:

Processing circuitry (i.e., NPAP circuitry 100 including NPAP response 137 in fig. 3) associated with the hard copy output device (13 in fig. 1) and operative to receive LAN data packets from the client computer over the LAN (216 in fig. 4A, col. 6, lines 61-62) that identifies a user and a print job (col. 2, lines 58-59); and

Memory coupled with the processing circuitry (NPAP 137 coupled with emulations manager 132 in fig. 3 in which emulations has a memory for storing job accounting information, col. 10, lines 15-17 and col. 17, lines 24-25) and operative to store a data file containing the LAN data packets and consumable usage information (the job accounting information including the network user's name, a job identifier number,

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and the usage information such as job processing time or number of sheets of paper used by each paper source, col. 4, lines 38-46).

However, Davidson does not explicitly teach actual toner usage is contained in the data file.

Maniwa teaches actual toner usage is contained in the data file (col. 13, lines 58-60).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the data file of Davidson for containing the toner usage for each print job as taught by Maniwa. The suggestion for modifying the data file of Davidson can be reasoned by one of ordinary skill in the art as set forth by Maniwa because the printing system of Davidson would be reliable by tracking more optional information of the consumable usage such as the toner usage to each user in the network.

As to claim 11, Maniwa teaches the consumable usage information comprises paper usage and toner usage collected at the hard copy output device corresponding with print job completion (col. 13, lines 29-32).

As to claim 12, Davidson teaches that comprises a user interface configured to enable a user to input a user identification (col. 2, lines 57-58).

As to claim 13, Davidson teaches that cost information is collected at the hard copy output device on a print job by print job basis (note: accounting information is generated at a printer after each print job is done, see fig. 3, col. 10, lines 32-35).

As to claim 14, Davidson teaches that the hard copy output device increments page counts to obtain cost information (the job accounting information including number

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of sheets of paper used by each paper source, the purpose of the page counting for accounting or cost, col. 4, lines 42-43).

As to claim 15, Davidson teaches that an LDAP server (16 or 32 in fig. 1) and a LAN (15 in fig. 1), wherein the LDAP server maintains user information and is operative to implement consumable cost recovery (col. 6, lines 43-50).

Response to Arguments and Amendment

Applicant's arguments filed 9/26/03 have been fully considered but they are not persuasive. The cited reference of Cuzzo et al. is repeated from the Office Action filed on 1/10/03 on paper # 8. Therefore, claims 1-9, 16-22 have been considered but are not moot in view of the new ground(s) of rejection.

Applicant asserted in page 9 that "Davidson fails to cure Maniwa's deficiencies" because "Maniwa discloses that the accounting data file is updated each time each user demands a print job". In reply, Davidson teaches Processing circuitry (i.e., NPAP circuitry 100 including NPAP response 137 in fig. 3) associated with the hard copy output device (13 in fig. 1) and operative to receive LAN data packets from the client computer over the LAN (216 in fig. 4A, col. 6, lines 61-62) that identifies a user and a print job (col. 2, lines 58-59); and Memory coupled with the processing circuitry (NPAP 137 coupled with emulations manager 132 in fig. 3 in which emulations has a memory for storing job accounting information, col. 10, lines 15-17 and col. 17, lines 24-25) and operative to store a data file containing the LAN data packets and consumable usage information (the job accounting information including the network user's name, a job

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identifier number, and the usage information such as job processing time or number of sheets of paper used by each paper source, col. 4, lines 38-46). However, Davidson does not explicitly teach actual toner usage is contained in the data file.

Maniwa discloses that the accounting data file is updated each time each user demands a print job (col. 13, line 48-51), that means any print job, which is generated by each user from the computer, is accounted into the accounting data file stored in a database. Furthermore, Maniwa discloses that the printer calls the accounting data file and then updates a unit price for each paper based on the data stored in the accounting data file (col. 13, lines 58-61). The function of the printer from Maniwa clearly performs the accounting operation at the printer for each user from the Network. Therefore, the teaching of Maniwa would be allowed for modifying the deficiencies of Davidson.

Cuzzo teaches an apparatus (i.e., PC from step of 62 in fig. 2A) for tracking usage information for an image forming device (i.e., EPC 10 in fig. 1), comprising: processing circuitry (CPU 16 for processing in fig. 1) associated with the image-forming device:

computer program code (ROM 30 in fig. 1) implemented on the processing circuitry and operative to count page-area and toner coverage (i.e., Page/Toner is accounted on the meter procedure 32 in fig. 1) at the image forming device collected on a print job by print job basis (i.e., pages thru scanner 36 in fig. 1 or printable pixels/page from PC 38 in fig. 1) ; and

memory (RAM 34 in fig. 1) coupled with the processing circuitry (CPU 16 in fig. 1) and operative to store a user data containing user information, output job information, and the usage information comprising total page area and toner used (RAM 34 in fig. 1 containing the usage information of the output job 36 from a scanner 12 or the print job

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38 from PC 13 and % toner coverage per page etc. and col. 46-51) (It is noted that since the printing apparatus is heavily used for accounting the resource usage, such as the printed image pages or the toner usage for each customer "col. 3, line 40", any resource usage information should indicate to the requested user source "col. 2, lines 14-15" either at the printer or at the user computer "via the network" in step of 62 in fig. 2A".

Therefore, the resource usage information would be inherently contained in the data file including the user information).

For the above reasons, it is believed that the cited prior art fully discloses the claimed invention and the rejection stand.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or E-mail address is Douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran
Dec. 17, 2003



GABRIEL GARCIA
PRIMARY EXAMINER